

## **District II Advisory Board Minutes**

**July 6, 2009**

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The District II Advisory Board meeting was held at 7:00 p.m. at Fire Station #20 located at 2255 S. Greenwich Road. CM Schlapp was in attendance, (8) board members attended, (5) staff and approximately (2) citizens were in attendance. Only those individuals who signed in are listed as guests below.

### **Members Present**

Aaron Mayes  
Max Weddle  
Daryl Crotts  
Marty Weeks  
Paula Hancock  
Tom Roth  
Brian Carduff  
Dave Mollhagen

### **Members Absent**

Phil Ryan  
Sarah Devries

### **Staff Present**

Antione Sherfield- Neighborhood Assistant  
Karen Sublett – City Clerk’s Office  
Dale Miller – Planning Department  
Officer West – Wichita Police Department  
Captain Rice – Wichita Fire Department

### **Guests**

Listed below

## **ORDER OF BUSINESS**

### **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. CM Schlapp welcomed everyone and explained how the DAB meeting is conducted. DAB members did introductions.

### **APPROVAL OF MINUTES AND AGENDA**

- **July Agenda approved (8-0)**
- **June Minutes approved (8-0)**

### **PUBLIC AGENDA**

1. **Off-Agenda Items**  
No items submitted

2. **Swearing in of the DAB Members**

**Karen Sublett, City Clerk's Office**, swore in members of the District Advisory Board.

**Recommended Action:** Receive and file:

**STAFF REPORT**

2. **Community Police Report**

**Officer West**, provided information pertaining to current crime trends in District II. Officer West stated there were (11) burglaries in the Central/ Oliver – 9<sup>th</sup> Street area during the month of June. He also stated there were (2) aggravated burglaries, (6) larcenies in Beat 39 which is located between Douglas/Rock and Woodlawn and 13<sup>th</sup> Street area. Officer West also reminded everyone to close garages when not in use and to monitor surroundings at night.

CM Schlapp thanked Officer West for the fine work that he and the Police Department provides the community.

**Recommended Action:** Receive and file

3. **Community Fire Report**

**Captain Rice** provided information pertaining to Fire Service calls in District II. Captain Rice stated that there has been 29,000 service calls since January of this year. That is 6,000 more than this time last year. There was one structure fire in District II at 164 N. Edgemoor. The fire is still under investigation. Captain Rice stated there were fires related to 4<sup>th</sup> of July Fireworks in the City of Wichita.

He also stated that Fire Station #21 opened on June 27<sup>th</sup> and the Ribbon Cutting was scheduled for July 18<sup>th</sup>, 2009. Lastly, he stated that Fire Station #22 is on schedule to open sometime in August.

CM Schlapp applauded Captain Rice and Fire Department for the great services they provide our community.

**Recommended Action:** Receive and file

## **NEW BUSINESS**

### **4. DER2009-00004**

**Dale Miller, Planning Department**, provided information pertaining to Amendment to the *Wichita-Sedgwick County Unified Zoning Code* to establish a new use type, Motor Vehicle Impound Lot, and to delineate in which districts the use is allowed and under what conditions.

**BACKGROUND:** At a recent Metropolitan Area Planning Commission (MAPC) meeting planning staff was asked to review our current regulations regarding the storage of motor vehicles. The Wichita-Sedgwick County Unified Zoning Code (“UZC”) defines the following terms:

Vehicle Storage Yard: the keeping outside of an enclosed building for more than 72 consecutive hours of one or more vehicles (except inoperable vehicles), boats, trailers, or unoccupied recreational vehicles. The term vehicle storage yard does not include “wrecking/salvage yard.”

Vehicle, Inoperable: any vehicle that is unable to operate or move under its own power. It shall also mean any vehicle that is in an abandoned, wrecked, dismantled, scrapped, junked or partially dismantled condition which includes having uninflated tires, no wheels, or lacking other parts necessary for the normal operation of the vehicle. It shall also mean any vehicle that because of mechanical defects, a wrecked or partially wrecked frame or body or dismantled parts, cannot be operated in a normal and safe manner. An inoperable vehicle shall not include vehicles needing only the installation of a battery or the addition of fuel to operate storage of salvage materials as permitted in Section 19-22(c) of the Sedgwick County Code.

The circumstance that triggered the Planning Commission’s request to review this issue was the recent filing of three applications for “wrecking and salvage” by individuals who provide vehicle towing and impound services and/or conduct auto insurance pool auctions. Some vehicles taken to these businesses are inoperable, and may be stored up to three or four months, without any intention of repairing the vehicle, before they are removed from the site. The vehicles are not dismantled or parted out, only stored, but because the business stores inoperable vehicles for longer than 72 hours, by UZC definition, the activity is categorized as “wrecking and salvage.” Wrecking and salvage uses are only permitted with “conditional use” approval in the LI Limited Industrial (“LI”) and GI General Industrial (“GI”) districts, and is permitted “by right” in the AFB district.

**CASE HISTORY:** The storage of inoperable vehicles has required “special permit” (in the pre-1996 zoning code) or “conditional use” approval (since 1996) in the E and F districts (pre-1996 code) and the LI and GI districts (since 1996), since at least 1954.

Citizens attending the meeting made the following comments:

- **Citizens felt they had no voice in this process**
- **Businesses and citizens strongly oppose the potential amendment change**

- **Motor Impound lot would create problems for existing businesses in Downtown area**
- **Motor Impound lots would decrease property values**
- **Motor Impound lots would detour new business from coming into certain areas**
- **Create traffic in residential areas**
- **Create eye sore even if fenced**
- **City of Wichita unable to police motor impound lots**
- **Fear of no oversight pertaining to business practices**
- **Motor Impound lots could be placed in any area including Willowbend or near the Waterfront Development**
- **Amendment change would allow motor impound lots to relocate to any part of the city**

**Recommended Action:** The **DAB** voted **(8-0)** in opposition of the Planning Staff's recommendation.

**With no further business, the meeting was adjourned at 8:20 p.m. The next DAB II Meeting will be August 3, 2009.**

Respectfully Submitted,  
Antione Sherfield, Neighborhood Assistant

**Guest**

Kathy Rivers

Dave Weathersson